IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellants:	Graeme John Proudler and Boris Balacheff		
Assignee:	Hewlett-Packard Development Company, L.P.		
Title:	INFORMATION SYSTEM		
Serial No.:	10/080,476	Filing Date:	February 22, 2002
Examiner:	Thanhnga B. Truong	Group Art Unit:	2438
Docket No.:	30007644-2	Confirmation No.	8509

June 24, 2011

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APPEAL BRIEF UNDER 37 C.F.R. §§ 1.191 AND 41.67

Dear Sir:

Appellants submit this Appeal Brief pursuant to the Notice of Appeal filed in the above-identified patent application on April 25, 2011.

I. REAL PARTY IN INTEREST

The real party in interest is the assignee, Hewlett-Packard Development Company L.P., as named in the caption above.

II. RELATED APPEALS AND INTERFERENCES

Based on information and belief, there are no prior or pending appeals, interferences or judicial proceedings known to Appellants, the Appellants' legal representative, or assignee which may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

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III. STATUS OF CLAIMS

Claims 1-10 have been canceled. Claims 11-30 are pending in the application and stand rejected. Claims 11-30 are the subject of this appeal and are reproduced in an Appendix below.

IV. STATUS OF AMENDMENTS

There are no unentered amendments in the application. No amendments were filed after the final rejection dated January 25, 2011.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Independent claim 11 is directed to an information system such as information system 800 of Fig. 6, which has one implementation illustrated by the block diagram of Fig. 5. The information system includes "an information access point relating to at least one pre-determined geographical area" as described in Appellants' specification at page 17, lines 19-22. Claim 11 further recites "said information access point including apparatus for retrieving information relating to trusted computing platforms located within said pre-determined geographical area," such as a database described at page 17, lines 23-35. Claim 11 further requires "said information system being arranged to provide said information to a portable computing apparatus visiting the pre-determined geographical area, wherein said information enables interaction with trusted components of said trusted computing platforms." Page 19, lines 9-21 describes providing information in general to a visitor's computing platform, and page 20, 19-22 describes providing details of trusted computing platforms in a target geographic area. See also page 5, lines 1-8 of Appellants' specification.

Claim 15 depends from claim 11 and further recites, "said apparatus for communicating or interacting with the portable computing apparatus is arranged to perform said communication or interaction by physical contact or directional wireless communication." As described in Appellants' specification at page 5, lines 13-18.

Independent claim 21 is directed to a method for providing information. The method of claim 21 includes "providing an information access point for a geographical area" such as information system 800 of Fig. 6, which may be located as described at page 17, lines 19-22. Claim 21 further recites, "retrieving to the information access point information relating to trusted computing platforms within the geographical area" as described at page 7, lines 24-27. The last step of claim 21 is "providing the information from the information access point to a portable computing apparatus visiting the pre-determined geographical area, wherein said information enables interaction with trusted components of said trusted computing platforms." Page 19, lines 9-21 describes providing information in general to a visitor's computing

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platform, and page 20, lines 19-22 describes providing details of trusted computing platforms in a target geographic area.

Independent claim 28 system including "one or more trusted computing platforms located within a geographical area" such as some or all of computing platforms 802a-802n of Fig. 6 disclosed at page 17, lines 25-27 and "an information access point in the geographical area" such as information system 800 of Fig. 6. The information access point of claim 28 includes: "an apparatus for retrieving information needed for interaction with trusted components of the trusted computing platforms" such as database 801 as described at page 17, lines 23-25; and "an interface arranged to provide the information to a portable computing apparatus visiting the geographical area" such as smartcard interface 705 of Fig. 5 or a contact reader or directional wireless communication as described at page 5, lines 13-18.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

The following rejections are presented to the Board of Patent Appeals and Interferences for review and decision:

A. Claims 11, 13-22, and 24-30 were rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Pat. No. 6,414,635 (Stewart) in view of U.S. Pat. App. Pub. No. 2002/0089528 (Hay).

B. Claims 12 and 23 were rejected under 35 U.S.C. § 103(a) as unpatentable over Stewart in view of Hay and further in view of U.S. Pat. No. 5,937,066 (Gennaro).

VII. ARGUMENT

A. Claims 11, 13-22, and 24-30 are patentable over Stewart in view of Hay.

Independent claim 11 distinguishes over the combination of Stewart and Hay at least by reciting, "said information access point including apparatus for retrieving information relating to trusted computing platforms located within said pre-determined geographical area, said information system being arranged to provide said information to a portable computing apparatus visiting the pre-determined geographical area, wherein said information enables interaction with trusted components of said trusted computing platforms." Stewart and Hay

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fail to disclose or suggest providing information about trusted computing platforms to a visiting device.

Stewart is directed to a system that provides information to a visiting device based on the geographic location of the visiting device. For example, Stewart discloses using a network of access points to identify the location of a user and then using the identified location to select information or services that will be provided to the user. Stewart fails to disclose or suggest an access point that provides information about any computing platforms in a geographical area. Further, Stewart nowhere mentions trusted computing platforms or providing information relating to trusted computing platforms.

Hay is directed to systems and methods for modifying security settings of a computing system and particularly to a user interface or assistant that describes or explains security risks to a user so that the user can better choose security settings. See paragraph [0012] of Hay. Hay further describes that different types of platforms can be trusted to different degrees (e.g., paragraph [0003] of Hay) and describes a trusted platform containing a trusted device (e.g., trusted platform 10 and trusted device 24 of Fig. 1, which is described in paragraph [0010] of Hay).

The combination of Stewart and Hay fails to disclose or suggest an apparatus that provides information relating to trusted computing platforms within a geographic area to a visiting apparatus to enable the visiting apparatus to interact with the trusted computing platforms. In particular, Hay, which is the only one of the cited references that mentions trusted platforms, is about modifying the security settings of a computing platform, not about providing another device with information enabling the device to interact with the trusted platform. Stewart, which describes providing information to a user, teaches providing tourist or consumer information, not information regarding available trusted computing platforms. Combining Hay with Stewart does not suggest making the leap from providing consumer information to a visitor as in Stewart to somehow employing the methods that Hay teaches for modifying security settings.

The Final Office Action in section 4.a. on page 6 cites sections of Stewart that describe obtaining security information from a portable computing device (PCD). Stewart does teach that a visitor with a PCD may be required to login, e.g., provide a password, before being allowed to access services such as e-mail or services for which the visitor will be billed. See, for example, the paragraph beginning at column 8, line 9 of Stewart. However, claim 11 recites, "said information system being arranged to provide said information **to** a portable

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computing apparatus visiting the pre-determined geographical area." Even if, the PCD of Stewart is modified (as suggested in the Final Office Action on page 3, lines 16-22 and in section 4.a.iii. beginning on page 6) to be a trusted platform such as described by Hay, such a combination of Stewart and Hay provides a flow of security information in a direction opposite to that required in claim 11. There is no suggestion in the combination of Stewart and Hay of information relating to a trusted device flowing to a portable computing apparatus visiting the geographic area.

In Graham v. John Deere Co. of Kansas City, 383 U. S. 1, 17-18 (and more recently in KSR International Co. v. Teleflex Inc., 550 USPQ2d 1385 (2007), the U.S. Supreme Court set forth analysis used in applying 35 U.S.C. §103. In accordance with Graham, "the scope and content of the prior art are ... determined; differences between the prior art and the claims at issue are ... ascertained; and the level of ordinary skill in the pertinent art resolved. Against this background the obviousness or nonobviousness of the subject matter is determined." In the present application, Stewart teaches providing consumer or tourist information and services based on a determination of a user's location, and Hay teaches providing security information of a computing platform that a user can use when modifying security settings of that computing platform. In contrast, claim 11 requires providing "information to a portable computing apparatus visiting the pre-determined geographical area, wherein said information enables interaction with trusted components of said trusted computing platforms." One of ordinary skill in the art in view of Stewart and Hay would not jump from the disparate purposes of Stewart and Hay to a system that provides information that enables a portable device to interact with trusted platforms in a geographic area.

Accordingly, claim 11 is patentable over Stewart and Hay.

Claims 13-20 depend from claim 11 and are patentable over the combination of Stewart and Hay for at least the same reasons that claim 11 is patentable over the combination of Stewart and Hay.

Claim 15 further distinguishes over Stewart and Hay by reciting, "said apparatus for communicating or interacting with the portable computing apparatus is arranged to perform said communication or interaction by physical contact or directional wireless communication." Stewart does not disclose or suggest physical contact of a portable device with an access point. Stewart describes wireless communication that is also used when identifying a device location, but the wireless communication that Stewart describes is not directional. It would not have been obvious to modify the system of Stewart to use physical

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contact or directional wireless communication because Stewart uses wireless communication to determine the location of a portable device that is free to roam. Using physical contact or directional wireless communication confines a portable device to a location, which is contrary to a basic purpose of Stewart. In accordance with an aspect of Applicants' invention, a visitor can better trust that information is from a target access point (and not an imposter or eavesdropper) when communications are by physical contact or directional communication with the target access point. Stewart and Hay do not suggest a reason for employing physical contact or directional wireless communications.

Independent claim 21 distinguishes over the combination of Stewart and Hay at least by reciting "retrieving to the information access point information relating to trusted computing platforms within the geographical area; and providing the information from the information access point to a portable computing apparatus visiting the pre-determined geographical area, wherein said information enables interaction with trusted components of said trusted computing platforms." As noted above, Stewart and Hay fail to disclose or suggest providing information relating to trusted computing platforms to a visiting portable computing apparatus to enable interaction with the trusted computing platforms in the geographical area. Accordingly, claim 21 is patentable over Stewart.

Claims 22 and 24-27 depend from claim 21 and are patentable over Stewart and Hay for at least the same reasons that claim 21 is patentable over Stewart and Hay.

Independent claim 28 distinguishes over the combination of Stewart and Hay at least by reciting, "an information access point … including an apparatus for retrieving information needed for interaction with trusted components of the trusted computing platforms and an interface arranged to provide the information to a portable computing apparatus visiting the geographical area." For the reasons given above with reference to claims 11 and 21, Stewart and Hay fail to disclose or suggest providing to a visitor the information needed for interaction with trusted components in a geographical area. Accordingly, claim 28 is patentable over Stewart and Hay.

Claims 29 and 30 depend from claim 28 and are patentable over Stewart and Hay for at least the same reasons that claim 28 is patentable over Stewart and Hay.

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B. Claims 12 and 23 are patentable under 35 U.S.C. § 103(a) over Stewart in view of Hay and further in view of Gennaro.

Claims 12 and 23 respectively depend from claims 11 and 21, which are patentable over Stewart and Hay for at least the reasons given above. In particular, Stewart and Hay fail to disclose or suggest providing information relating to trusted computing platforms in a geographic area to a visiting device to enable interactions with the trusted computing platforms. Gennaro is directed to cryptographic key recovery and in that context, discloses transmission of public keys. However, Gennaro like Stewart and Hay does not describe or address ways to enable a visiting portable computer to interact with local trusted computing platforms. Accordingly, the above reasoning used to show that claims 11 and 21 are patentable over Stewart and Hay also applies to the combination of Stewart, Hay, and Gennaro, and claims 12 and 23 are patentable over the combination of Stewart, Hay, and Gennaro for at least the same reasons that their respective base claims 11 and 21 are patentable over Stewart, Hay, and Gennaro.

For the above reasons, Appellants respectfully submit that pending Claims 11-30 are allowable. Accordingly, Appellants submit the present rejection is unfounded and request that the rejections of claims 11-30 be reversed.

Please contact the undersigned attorney at (530) 621-4545 if there are any questions concerning this Appeal Brief or the application generally.

Respectfully submitted,

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VIII. CLAIMS APPENDIX

Claims 11-30, which are the claims involved in this appeal, are copied below.

Claims 1-10 (Canceled)

11. (Previously Presented) An information system comprising an information access point relating to at least one pre-determined geographical area, said information access point including apparatus for retrieving information relating to trusted computing platforms located within said pre-determined geographical area, said information system being arranged to provide said information to a portable computing apparatus visiting the pre-determined geographical area, wherein said information enables interaction with trusted components of said trusted computing platforms.

12. (Previously Presented) A system according to claim 11, wherein said information system is arranged to provide as said information only details and/or a list of public keys of genuine trusted computing platforms within said pre-determined geographical area.

13. (Previously Presented) A system according to claim 11, wherein said information access point comprises a trusted computing platform.

14. (Previously Presented) A system according to claim 11, comprising apparatus for communicating or interacting with the portable computing apparatus.

15. (Previously Presented) A system according to claim 14, wherein said apparatus for communicating or interacting with the portable computing apparatus is arranged to perform said communication or interaction by physical contact or directional wireless communication.

16. (Previously Presented) A system according to claim 11, incorporating or accompanied by a declaration concerning the trustworthiness of the system.

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17. (Previously Presented) A system according to claim 16, wherein said declaration is capable of interpretation by a user of the portable computing apparatus without preprocessing by an information processing system.

18. (Previously Presented) A system according to claim 11, arranged to verify the identity of a user.

19. (Previously presented) A system according to claim 11, arranged to enable a user to perform operations, either locally or remotely, upon the information provided thereby.

20. (Previously Presented) A system according to claim 11, wherein the information provided to the portable computing apparatus includes security attributes of the trusted computing platforms within said pre-determined geographical area.

21. (Previously Presented) A method comprising:

providing an information access point for a geographical area;

retrieving to the information access point information relating to trusted computing platforms within the geographical area; and

providing the information from the information access point to a portable computing apparatus visiting the pre-determined geographical area, wherein said information enables interaction with trusted components of said trusted computing platforms.

22. (Previously Presented) The method of claim 21, wherein providing the information comprises only information relating to genuine trusted computing platforms within the geographical area.

23. (Previously Presented) The method of claim 22, wherein providing the information comprises providing a list of public keys of the genuine trusted computing platforms within the geographical area.

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24. (Previously Presented) The method of claim 21, wherein providing the information comprises the information access point communicating with the portable

computing apparatus when the portable computing apparatus is in physical contact with the information access point.

25. (Previously Presented) The method of claim 21, wherein providing the information comprises the information access point communicating with the portable computing apparatus when the portable computing apparatus is in position for directional wireless communication with the information access point.

26. (Previously Presented) The method of claim 21, further comprising the portable computing apparatus using said information to interact with a trusted component of one of said trusted computing platforms.

27. (Previously Presented) The method of claim 21, further comprising:

the portable computing apparatus requesting that a verification service verify the information;

the verification service verifying identities of the trusted computing platforms, signing results, and returning signed results; and

the portable computing apparatus using the signed results to identify which of the trusted computing platforms can be trusted.

28. (Previously Presented) A system comprising:

one or more trusted computing platforms located within a geographical area; and

an information access point in the geographical area, the information access point including an apparatus for retrieving information needed for interaction with trusted components of the trusted computing platforms and an interface arranged to provide the information to a portable computing apparatus visiting the geographical area.

29. (Previously Presented) The system of claim 28, wherein the interface comprises at least one of a contact reader and a directional wireless communication interface through which the portable computing apparatus can communicate with the information access point.

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30. (Previously Presented) The system of claim 28, wherein the information includes public keys associated with the trusted computing platforms.

IX. EVIDENCE APPENDIX

There is no evidence submitted pursuant to 37 C.F.R. §§ 1.130, 1.131, or 1.132 or any other evidence entered by the Examiner that Appellants are relying upon in this appeal.

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X. RELATED PROCEEDINGS APPENDIX

No decisions rendered by a court or the Board of Patent Appeals and Interferences are being submitted.

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